

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

In the United States District Court
For the Western District of Virginia
Danville Division

JUN 20 2017
BY: JULIA C. DUDLEY CLERK
DEPUTY CLERK

Brian David Hill
Plaintiff(s)

v.

Executive Office for United States Attorneys
(EOUSA)
&
United States Department of Justice (U.S. DOJ)
Defendant(s)

Civil Action No. 4:17-cv-00027

MOTION TO EXTEND TIME FOR FILING MOTIONS

MOTION AND SUPPORTING BRIEF

NOW COMES, the plaintiff ("Brian D. Hill"), representing himself, and hereby respectfully moves the Court to extend the deadline for filing pretrial motions and responses in this case by one week, pursuant to Rule 6. (b)(1) of the Federal Rules of Civil Procedure.

In support of this request, plaintiff states as follows:

1. The Defendants' Attorney had filed answers to the Complaint on June 9, 2017 (Citing Doc. #9), and the civil case was bound to a pretrial order (See Doc. #11) which established under paragraph (4) ("movant must file a supporting brief within 14 days of the date of this Order") that the date of June 23, 2017, is the deadline for filing pretrial motions.

2. On June 13, 2017 the plaintiff has mailed out an envelope which contains three separate documents. The envelope mailed under certified mailing under tracking # 7016-1370-0002-2158-5983 contains (1) PLAINTIFF'S OBJECTION TO THE DEFENDANTS' "ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF", (2) MOTION ASKING THE COURT TO REQUEST LEGAL COUNSEL TO REPRESENT THE PLAINTIFF, and (3) is a copy of the "NOTICE TO PARTIES OF RIGHT TO CONSENT TO JURISDICTION OF UNITED STATES MAGISTRATE JUDGE" which the plaintiff has signed. The one MOTION asks for the Court to request legal counsel to be appointed for the plaintiff in accordance with the 'in forma pauperis' statute.
3. If the Court grants the motion requesting the services of legal counsel for the plaintiff, then the legal Counsel that decides to represent the plaintiff will need additional time to consider filing any pretrial motions and review over any and all relevant evidence including anything acquired via discovery for reviewing, consulting with the plaintiff, and then will be able to prepare and file any appropriate pretrial motions by the deadline as determined by the Court.
4. The plaintiff has mailed off the certified mailing (tracking # 7015-3010-0001-3368-1076) containing a letter to the U.S. Attorney office of Roanoke

requesting production of documents and things (See Document #12-5, Page 5 to 9) pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure ("FRCP"). The plaintiff has still not received any discovery materials and things that may be needed in filing any pretrial motions. The plaintiff has not heard back from the U.S. Attorney office of Roanoke nor the U.S. Attorney office of Greensboro. Since the U.S. Attorney of Roanoke that normally has the jurisdiction to represent the Government in U.S. District Court cases in the Western District of Virginia, plaintiff assumes that the Roanoke office of the U.S. Attorney is emailing or mailing any correspondence to legal counsel Cheryl Thornton Sloan of the U.S. Attorney office in Greensboro, NC. So far no discovery materials have yet to be received from the Government. Additional time will be needed to receive the discovery materials, have the lawyer review over them (if the Motion is granted for requesting legal counsel), and determine whether any appropriate pretrial motions need to be filed, and as to whether any issues need to be raised at a pretrial status conference. The plaintiff has also decided to file additional subpoenas such as to any witnesses named: (1)Office of Information Policy, (2)Special Agent Rodney V. White of the N.C. State Bureau of Investigation office in Greensboro, and (3) Christa Lemelin of the Office of Government Information Services (apart of the mediation team) of the National Archives

and Records Administration. Lemelin had claimed that the AUSA (assuming that it is the Assistant U.S. Attorney) said to her about something in regards to my FOIA request (and appeal). All testimony, list of witnesses, and discovery materials needs to be gathered before the final status conference to ensure that both parties have ample opportunity to review over all evidence, witnesses, and testimony before the trial.

For all these reasons, the Plaintiff requests that the Court extend until Friday, June 30, 2017, the pretrial motion deadline in this case, and extend until Friday, July 7, 2017, the deadline for responses thereto. The Plaintiff submits that the ends of justice are best served by granting this extension.

If the Court feels it is appropriate that all parties needs another week for the issues raised then I have no objection to extend the deadline a week further, as determined by the Court. They may extend the deadline to Friday, July 7, 2017 for the pretrial motion deadline, and Friday, July 14, 2017 deadline to file responses thereto.

Plaintiff also requests with the Court that copies of this Motion be served upon the Government as stated in 28 U.S.C. §1915(d), that "The officers of the court shall issue and serve all process, and perform all duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided for by law in other cases. Plaintiff requests that copies be served with the defendants' and the U.S. Attorney office of Roanoke, VA via CM/ECF Notice of Electronic Filing ("NEF") email, by facsimile if the Government consents, or upon U.S. Mail. Thank You!

Date of signing:

June 16, 2017

Respectfully submitted,

Brian D. Hill

Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 2

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U.S.W.G.O.

Certified mail tracking:

Court: 7016-0600-0000-8318-9146

U.S. Attorney: 7016-0600-0000-8318-9078